

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
AT WHEELING**

OHIO COUNTY COMMISSION, *et al.*,

v.

**Civil Action No. 5:24-CV-142
Honorable John Preston Bailey**

EXPRESS SCRIPTS, INC., *et al.*,

Defendants.

**AGREED STIPULATION REGARDING RESPONSIVE PLEADINGS AND BRIEFING
SCHEDULE WITH RESPECT TO PLAINTIFFS' WELLSBURG COMPLAINT**

NOW COMES the parties, by and through counsel, and pursuant to Rules 7.01 and 12.01 of the Local Rules of Civil Procedure of the United States District Court for the Northern District of West Virginia, hereby state, stipulate, and agree to the following:

1. Plaintiffs filed their Complaint, *City of Wellsburg et al. v. Express Scripts, Inc. et al. (Wellsburg)*, Civil Action No. 5:25-cv-164, on or about July 22, 2025.
2. By Order of this Court, dated August 4, 2025, Wellsburg was consolidated with *Ohio County et al. v. Express Scripts, Inc. et al. (Ohio County)*, Civil Action No. 5:25-cv-142, . See Doc. 192.
3. Under Local Rules 7.01 and 12.01, “the time to answer or otherwise respond to a complaint may be extended by stipulation.”
4. To promote the efficient resolution of this matter, the Stipulating Parties agree that good cause exists to the following deadlines with respect to Wellsburg, and **Stipulate** and **Agree** as follows:
 - a. The Express Scripts Defendants were effectively served with the Wellsburg Complaint on July 25, 2025;

- b. The Express Scripts Defendants' deadline to move to dismiss or to otherwise answer the Complaint shall be September 23, 2025;
- c. Plaintiffs' deadline for their opposition brief to any motion to dismiss shall be October 23, 2025;
- d. The Express Scripts Defendants' deadline for their reply brief for any motion to dismiss shall be November 13, 2025;

Based on the foregoing, the parties hereto Stipulate and Agree to the deadlines set forth above.

DATED: August 29, 2025

/s/ Charles R. Bailey

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of foregoing “**AGREED STIPULATION REGARDING RESPONSIVE PLEADINGS AND BRIEFING SCHEDULE WITH RESPECT TO PLAINTIFFS’ WELLSBURG COMPLAINT**” was served upon the following parties through the Court’s Electronic Case Filing (ECF) system on this day, August 29, 2025:

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